

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| U.S. Patent No. | 7,060,269 – § 156 | Unit: | OPLA |
| Serial No.: | 09/ 723,752 | | |
| Confirmation No.: | 6340 | | |
| Filed: | 25 August 2006 | | |
| First Inventor: | M. BACA | | |
| Patent Owner: | Genentech, Inc. | | |
| For: | Anti-VEGF antibodies | | |
| | Application for patent term extension under 35 U.S.C. § 156 | | |

Mail Stop **Hatch-Waxman PTE**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 37 C.F.R. § 1.785(b)

Sir:

This letter responds to the Notice of Final Determination and Requirement for Election mailed in the captioned application for patent term extension on 26 March 2009. The Notice observes that applicant filed applications to extend the terms of U.S. Patent Nos. 6,407,213, 6,884,879, and 7,060,269 based on the regulatory review period for LUCENTIS®. The Notice further states a requirement that applicant elect one of the patents to receive a term extension certificate within a period of one month of the date of the Notice. This election is filed within the stated period and is therefore timely.

Pursuant to § 1.785(b), **applicant elects U.S. Patent No. 6,407,213** to receive a certificate of extension under § 1.780 and 35 U.S.C. § 156(e)(1). Applicant requests that the Director proceed to issue a certificate of extension of that patent based on the regulatory review period for LUCENTIS®, as indicated in the Notice of Final Determination and Requirement for Election issued in the application for patent term extension in the record of U.S. Patent No. 6,407,213.

We believe that no fee is due in respect of this election. However, the Director is requested to debit any fee required for entry or consideration of this paper from our Deposit Account No. 18-1260.

Respectfully submitted,

/David L. Fitzgerald/

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24 April 2009

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